IN THE HIGH COURT OF JUDICATURE AT BOMBY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7870 OF 2006

Shri Amol Sharadrao Patil .....Petitioner.

V/s

Aruna Shripati Chambar - Powar
and ors. .....Respondents.

Mr. P.S. Dani for the Petitioner.

Mr. Tejpal S. Ingale for Respondents.

CORAM: S.J. VAZIFDAR, J.
DATE : 24th January, 2007

P.C:

1. Rule. Rule returnable and heard forthwith.

2. There is no dispute that the respondents were entitled to and had purchased 2 acres and 39 gunthas of land. The only dispute is regarding identification of the property. According to the Petitioner, the respondents' land belonged to Gat No. 447 and not Gat No. 542/C as observed in the impugned order. Both the parties agreed that the land which is purchased by the respondents was original survey No. 175/1. In the circumstances, the following order is

passed.

(i) The Consolidation Officer is directed to verify possession/ownership/occupation of the land of the respondents and file a report as to which Gat Number the same belongs to.

(ii) Upon report being furnished, liberty to the parties to apply to the trial court for modification of the order, if necessary.

(iii) It is clarified that the impugned order is not set aside but only modified to the above extent.

3. Rule is made absolute accordingly.